

GENERAL MERCHANDISE LIQUOR STORES

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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POLICIES

- 1.1.1 Alberta Gaming, Liquor and Cannabis (AGLC) is established under the *Gaming, Liquor and Cannabis Liquor Act* (GLCA) and is governed by the requirements of the *Criminal Code*, the GLCA and the Gaming, Liquor and Cannabis Regulation (GLCR). (Amended July 2018)
- 1.1.2 AGLC is the province's liquor and gaming authority, responsible for administering and regulating the liquor and gaming industries in Alberta.
- 1.1.3 Board policies are approved by the Board of the AGLC and signed by its Chair, on behalf of the Board.
- 1.1.4 Board policies related to liquor licence activities are conditions of the licence. This includes policies approved after the liquor licence is issued [Section 61(1) of the GLCA].
- 1.1.5 Guidelines are best business practices designed to help licensees meet operating requirements.
- 1.1.6 Board policies and guidelines are located in the General Merchandise Liquor Store Handbook, which is available on AGLC's website at aglc.ca.
- 1.1.7 (Deleted Dec 2020)
- 1.1.8 If a licence applicant, licensee or manager involved in the daily operation of a licensed premises does not have a working knowledge of the English language sufficient to understand the legislation and/or these policies, AGLC will ask that the licensee have an interpreter present whenever:
- a) discussing details of the licence application;
 - b) an Inspector visits the premises to review the licensee's responsibilities;
 - c) the licensee acknowledges its responsibilities by signing the Operating Procedures form; and
 - d) the licensee attends a Board hearing.

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- 1.1.9 The Retail Liquor Store Handbook may be accessed on AGLC's web site at aglc.ca.

SUBJECT: INTRODUCTION

1.1.10 The GLCA and GLCR may be accessed on the Queen's Printer web site at www.qp.alberta.ca.

SUBJECT: DEFINITIONS**POLICIES****1.2.1** In this handbook,

- a) "AGLC" means Alberta Gaming and Liquor Commission.
- b) "Board" means the Board of AGLC.
- c) "General Merchandise Liquor Store" refers to the specific liquor retail area associated with the primary business.
- d) "GLCA" means the *Gaming, Liquor and Cannabis Act*.
- e) "GLCR" means the Gaming, Liquor and Cannabis Regulation.
- f) "Inspector" means an Inspector of AGLC, a police officer as defined in the *Police Act* or someone designated by AGLC as an Inspector under the GLCA.
- g) "licensed premises" means all areas associated with the operations of the licensee, including, but not limited to:
 - i) areas liquor may be sold or consumed; and
 - ii) any storage room, lobby, hallway or other service areas used by the licensee in support of the areas where liquor may be sold or consumed.
- h) "licensee" means the individual, partnership or corporation holding a liquor licence.
- i) "liquor" means beverages that are intended for human consumption containing over one (1) % alcohol by volume (e.g., spirits, wine, liqueur, coolers, cider or beer).
- j) "liquor agency" means a corporation or individual who is in the business of representing a liquor supplier in the sale of the supplier's liquor.
- k) "liquor supplier" means
 - i) a manufacturer;
 - ii) a person who operates an establishment for making liquor outside Alberta;
 - iii) a person, other than AGLC, who is a distributor of liquor; and

SUBJECT: DEFINITIONS

- iv) any person who has a connection, as specified in the GLCR, to a manufacturer or person described in j) ii) and j) iii) above.
- l) “minor” means a person under the age of 18 years.
- m) “municipality” means:
 - i) a city, town, village summer village, municipal district or specialized community;
 - ii) a town under the *Parks Town Act* (Alberta); or
 - iii) a municipality formed by special Act.
- n) “primary business” refers to the business with which the general merchandise liquor store is affiliated.
- o) “staff” means any person employed by the licensee or contracted by the licensee or a third party to perform assigned or delegated duties.

SUBJECT: CONTACTING THE AGLC**GUIDELINES**

- 1.3.1 There are five (5) AGLC offices in the province. Normal office hours are 8:15 a.m. to 4:00 p.m. Monday to Friday, excluding statutory holidays. Outside normal office hours and when staff is unavailable, messages may be left on voice mail.

St. Albert (Head Office)

50 Corriveau Avenue
St. Albert, Alberta
T8N 3T5

Phone: (780) 447-8600
Fax: (780) 447-8911
Fax: (780) 447-8912

Calgary

310, 6715 - 8 Street NE
Calgary, Alberta
T2E 7H7

Phone: (403) 292-7300
Fax: (403) 292-7302

Red Deer

#3, 7965 – 49 Avenue
Red Deer, Alberta
T4P 2V5

Phone: (403) 314-2656
Fax: (403) 314-2660

Grande Prairie

100 – 11039 78 Avenue
Grande Prairie, Alberta
T8W 2J7

Phone: (780) 832-3000
Fax: (780) 832-3006

Lethbridge

655 WT Hill Blvd South
Lethbridge, Alberta
T1J 1Y6

Phone: (403) 331-6500
Fax: (403) 331-6506

- 1.3.2 The AGLC web site address is: aglc.ca.

SUBJECT: LEGISLATION AND BOARD POLICIES**POLICIES**

- 1.4.1 Licensees and their staff must comply with:
- a) the GLCA;
 - b) the GLCR;
 - c) Board policies; and
 - d) all federal, provincial and municipal legislation.
- 1.4.2 Non-compliance with the legislation or Board policies may result in disciplinary action by the Board pursuant to Part 4 of the GLCA.
- 1.4.3 A licensee or manager approved by AGLC must notify AGLC immediately if charged with or convicted of an offence under:
- a) the *Criminal Code* (Canada);
 - b) the *Excise Act* (Canada);
 - c) the *Food and Drugs Act* (Canada);
 - d) the *Controlled Drugs and Substances Act* (Canada);
 - e) a foreign Act or Regulation substantially similar to an offence under a), b), c) or d);
 - f) the GLCA; or
 - g) the GLCR.
- 1.4.4 If a licensee is at any time charged or convicted of an offence set out in any of the legislation listed in Subsection 1.4.3, the Board may take disciplinary action including, but not limited to, suspension or cancellation of the liquor licence/registration.
- 1.4.5 If a licensee misleads AGLC, fails to provide information or provides inaccurate information, the Board may take disciplinary action including, but not limited to, suspension or cancellation of the liquor licence.

SUBJECT: LICENSEE'S RESPONSIBILITIES**POLICIES**

1.5.1 *(Deleted Dec 2020)*

1.5.2 The operation of a licensed premises shall be carried out in a socially responsible manner (see Subsection 1.5.5)

1.5.3 All general merchandise liquor store operators will be required to sign an Operating Procedures form declaring full understanding of the legal requirements about liquor purchases, sales and special promotions at the time of licensing.

1.5.4 A licensee and its staff with information about illegal activities related to liquor, tobacco or gaming is required to contact the nearest AGLC office (see Subsection 1.3). This includes:

- a) smuggled liquor or tobacco;
- b) stolen liquor or tobacco;
- c) homemade liquor, such as moonshine, wine or beer;
- d) tobacco not marked for sale in Alberta; and
- e) illegal gaming devices or illegal gaming houses.

GUIDELINES

1.5.5 Examples of operating a premises in a socially responsible manner include:

- a) training staff to understand violations of the legislation and policies, in accordance with ProServe training as specified in Subsection 1.6; and
- b) placing a high priority on maintaining a safe premises.

(Amended Dec 2020)

1.5.6 Licensees should be aware that the sale of liquor carries a risk of potential liability. Questions on liability should be directed to a lawyer.

SUBJECT: PROSERVE LIQUOR STAFF TRAINING**POLICIES**

- 1.6.1 A licensee must meet ProServe Liquor Staff Training certification requirements. Equivalency may be granted for programs offered in other provinces if the program was taken within the last five years. The person must apply to the SMART Training programs office (see Section 1.6.18) to have the certification recognized.
- 1.6.2 ProServe certification is mandatory for the following full time and part time staff:
- a) positions where liquor is provided under the authority of a Class A, B, D, E, F and Duty Free licence (excluding Class D-Sacramental Wine Resale licence):
 - i) licensed premises owners that are responsible for directly managing a licensed premises;
 - ii) licensed premises managers, supervisors, retailers, bartenders, servers, greeters, hosts and delivery service drivers; *(Amended Dec 2020)*
 - iii) security staff (directly employed or contracted by the licensee); and
 - iv) owners and managers of a company contracted to provide security.
 - b) positions where liquor is provided under the authority of a Special Event Licence (SEL) Public Resale - Commercial:
 - i) managers, supervisors, bartenders, servers, and drink ticket sellers;
 - ii) security staff (directly employed or contracted by the licensee); and
 - iii) owners and managers of a company contracted to provide security.
 - c) positions where liquor is provided under the authority of a SEL Public Resale - Community:
 - i) the licensee and designate(s); and
 - ii) a minimum of 25% of all bartenders/servers on-site.
(Amended July 2019)

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

- d) persons registered with AGLC as a liquor agency and their employees, or a third-party agent acting on their behalf, whose duties include the sampling of liquor products. *(Amended Oct 2020)*
- 1.6.3 ProServe certification is not required for staff working full time or part time:
 - a) as kitchen staff, bus persons, and cleaning staff in licensed premises;
 - b) *(Deleted Mar 2019)*
 - c) where liquor is provided under the authority of a Private Special Event licence;
 - d) where liquor is provided under the authority of a Class C licence (Note: the Board may require the licensee to meet ProServe training requirements if the Class C licensee has violated the GLCA, GLCR, or Board policies); and
 - e) where liquor is provided under the authority of a Class D Sacramental Wine Resale licence.
- 1.6.4 Persons requiring ProServe must be certified:
 - a) within 30 days of the employment start date for all new hires to positions identified in Section 1.6.2 a) and 1.6.2 d) or;
 - b) before a SEL Public Resale for staff in positions identified in Section 1.6.2 b) and c).
- 1.6.5 *(Deleted Dec 2020)*
- 1.6.6 *(Deleted Dec 2020)*
- 1.6.7 ProServe certification must be maintained by successfully repeating the ProServe course (including passing the exam) before the certification expiration date.
- 1.6.8 Licensee staff must provide proof of ProServe certification at the request of an AGLC Inspector. Proof of ProServe certification includes: *(Amended Dec 2020)*
 - a) paper printed certification card that has a QR code; *(Amended Dec 2020)*
 - b) *(Deleted Dec 2020)*
 - c) a plastic card (that does not have a QR code); or

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

- d) clear images of either of the above (i.e. image photograph or screen shot) saved on the staff member's mobile device/phone.

1.6.9 It is the responsibility of the licensee to ensure:

- a) *(Deleted Dec 2020)*

at least one (1) ProServe certified staff member is on shift at all times.

1.6.10 An industry worker's ProServe certification will be placed into conditional status when an employee at a licensed premises is found to violate any of the following:

- a) Section 75 GLCA: give, sell, or supply liquor to a minor;
- b) Section 75.1 GLCA: sell or provide liquor to an intoxicated person, permit an intoxicated person to consume liquor or take part in a gaming activity or provincial lottery that is conducted in the licensed premises; and
- c) AGLC Board policy: failure to ask for proof of age for those persons who appear to be under 25 years of age.

1.6.11 Industry workers whose ProServe certification is placed into conditional status may continue working at a licensed premises, however, they are required to successfully retake ProServe certification and pay all required fees within 30 days from the date of notification by AGLC. Failure to do so will cancel their ProServe certification.

1.6.12 Industry workers placed on conditional status may appeal the violation in writing to the Vice President, Regulatory Services, within 14 days of the date of notification by AGLC. The decision of the Vice President is final.

1.6.13 Industry workers whose appeal of the violation is unsuccessful will have 30 days from the date of the appeal outcome to recertify.

1.6.14 If an industry worker incurs three violations within a five-year period they will be ineligible for further ProServe certification.

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1.6.15 To aid compliance with ProServe Liquor Staff Training certification requirements, it is suggested licensees keep a log of employees that

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AUTHORITY:

Original signed by
Len Rhodes

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

are ProServe certified. The log should include the following information: *(Amended Dec 2020)*

- a) employee name as it appears on the certification card;
- b) SMART Training registration number; and
- c) expiry date. *(Added Dec 2020)*

1.6.16 *(Deleted Dec 2020)*

1.6.17 The ProServe certification program is found on the SMART Training website at proserve.aglc.ca.

SUBJECT: STAFF TRAINING SESSIONS**GUIDELINES**

- 1.7.1 AGLC Inspectors are available to provide training sessions to licensee staff to help them gain a better understanding of their responsibilities and authority regarding liquor sales and the operation of a licensed premise.
- 1.7.2 *(Deleted, Jan., 2018)*
- 1.7.3 To arrange a staff training session, contact your nearest AGLC office (see Subsection 1.3 for AGLC contact information).

SUBJECT: AUDIT**POLICIES**

- 1.8.1 General merchandise liquor store records are subject to review by AGLC and must be maintained in a manner acceptable to AGLC.
- 1.8.2 The areas normally subject to audit will include, but are not limited to:
- a) invoices;
 - b) special event licence sales;
 - c) cash register sales records;
 - d) inventory records;
 - e) annual financial statements; and
 - f) promotional give-away records.

SUBJECT: LICENCE FEES**POLICIES**

- 2.1.1 A one-time, non-refundable fee of \$200 must be submitted with all new liquor licence applications. No application fee is required for a new licence following expiry of the existing licence.
- 2.1.2 An annual licence fee of \$300 is due on the date of licence issue.
- 2.1.3 The licence application form (see Subsection 11.1) and the applicable annual fee must be received by AGLC before a licence is issued.

SUBJECT: APPLICATION REVIEW**POLICIES**

- 2.2.1 Liquor licence applications are subject to review and approval by AGLC.
- 2.2.2 When reviewing applications, AGLC considers:
- a) the appropriateness of the proposed premises;
 - b) the applicant's eligibility;
 - c) compliance with municipal requirements;
 - d) the expressed views of the local community. Applicants must provide a letter of support from the municipality or hamlet in which the applicant's proposed store is located.
- 2.2.3 If AGLC does not support a licence application due to operational problems, operational style changes or major structural changes to the premises made by the applicant, the application will be referred to the Board for decision.
- 2.2.4 If a licence expires, the licensee must stop liquor service until a new licence is issued.

Reasons for Licence Refusal

- 2.2.5 As per Section 51 of the GLCR, unless otherwise directed by the Board of AGLC, a general merchandise liquor store licence will not be issued for any premises located in a municipality or hamlet if:
- a) a retail liquor store licence is in force for a retail liquor store located in the same municipality or hamlet; or
 - b) a general off sales licence is in force for a hotel located in the same municipality or hamlet and no general merchandise liquor store licence is in effect for the premises at the time the application for a general merchandise liquor store licence is made.
- 2.2.6 AGLC may refuse to issue a liquor licence if the applicant, any of the applicant's employees, any of the applicant's associates or any person associated with the applicant fails to pass a records check (see Subsection 2.2.7).
- 2.2.7 A person will fail to pass a records check if the person has:

SUBJECT: APPLICATION REVIEW

- a) within the five (5) years prior to the application date, been charged with or convicted of:
 - i) an offence under the *Criminal Code* (Canada), the *Excise Act* (Canada), the *Food and Drugs Act* (Canada) or the *Controlled Drugs and Substances Act* (Canada); or
 - ii) an offence under a foreign act or regulation that, in the Board's opinion, is substantially similar to an offence described in Subsection 2.2.7a i); or
- b) at any time been charged with or convicted of:
 - i) an offence under the *Criminal Code* (Canada), the *Excise Act* (Canada), the *Food and Drugs Act* (Canada) or the *Controlled Drugs and Substances Act* (Canada); or
 - ii) an offence under a foreign act or regulation that, in the Board's opinion, is substantially similar to an offence described in Subsection 2.2.7b i);

that, in the opinion of the Board, is sufficiently serious to detract from the integrity of lawful gaming, lottery and/or licensed liquor activities in Alberta; or
- c) within the five (5) years prior to the application date, been in prison serving a term of three (3) years or more.

Note: Subsection 2.2.7 does not apply to a person who has received a pardon under the provisions of the *Criminal Records Act* or similar legislation or if any records relating to a charge or conviction have been expunged or otherwise officially sealed by a court or government agency.

2.2.8 AGLC may refuse to issue a liquor licence if satisfied the applicant, any of the applicant's employees or associates, or any person or entity connected to or associated with the applicant:

- a) has not acted or may not act in accordance with the law, with honesty and integrity or in the public interest, based on their past conduct;
- b) would be a detriment to the integrity or lawful conduct of gaming or liquor activities or provincial lotteries; or

SUBJECT: APPLICATION REVIEW

- c) has a background, reputation and/or associations that may cause adverse publicity for the gaming or liquor industry in Alberta.

2.2.9 AGLC may refuse to issue a liquor licence if, within the five (5) years prior to the application date, the applicant, any of the applicant's employees or any person associated with the applicant has contravened:

- a) the GLCA or the GLCR;
- b) a predecessor of the GLCA or the GLCR; or
- c) a condition imposed on a licence or registration issued or made under the GLCA.

2.2.10 AGLC may also refuse to issue a liquor licence:

- a) if the applicant is not eligible to receive the licence; and
- b) if the requirements of the GLCA, GLCR and Board policies have not been met.

2.2.11 An applicant who has been refused a licence may request a Board hearing to review the decision not to grant a licence, by making written application to the Board within 30 days of receiving notice of the refusal.

GUIDELINES

2.2.12 First-time applicants should contact AGLC (see Subsection 1.3 for AGLC contact information).

2.2.13 A licensee should first consult this handbook and then contact AGLC when:

- a) seeking a new licence or a new class of licence;
- b) seeking an endorsement to an existing licence (e.g., delivery service);
- c) planning to renovate the premises; or
- d) planning to relocate.

2.2.14 Licensees are sent a reminder notice six to eight weeks before their existing licence expires.

SUBJECT: APPLICATION REVIEW

- 2.2.15 The Board may take into account any of the following factors when making a decision respecting an application for a general merchandise liquor store:
- a) the extent and nature of opposition from community members or groups to establishment of a general merchandise liquor store in a particular location;
 - b) the results of consultations with local authorities;
 - i) the nature of the primary business of the applicant and the clientele that frequent it; and
 - ii) whether the sale of liquor products is, in the opinion of the Board, primarily for the purpose of enhancing the sale of non-liquor products.

SUBJECT: OBJECTION TO AN APPLICATION**POLICIES****Class A, B, C, D, E or F Premises**

2.3.1 AGLC will post all applications for the following types of licences on its website (aglc.ca/licences):

- a) Class A, B, C, D, E and F liquor licence(s) for new premises;
(Amended Oct 2018)
- b) existing licensed premises applying for additional Class A, B, C, D, E or F licence(s); *(Amended Oct 2018)*
- c) changes to the Class of liquor licence; and
- d) relocations of existing licensed premises.
(Amended Dec 2020)

2.3.2 The following information will be posted on AGLC website:

- a) name of the applicant;
- b) name of the proposed premises;
- c) municipal address of the proposed premises;
- d) licence(s) applied for; and
- e) the date that a written objection must be received by AGLC.

2.3.3 AGLC may not consider objections of the following nature as they are considered the responsibility of the municipality:

- a) number of licensees in a community;
- b) location;
- c) space between licensed premises;
- d) matters involving retail competition, community image and property values; and
- e) objections of a social/moral concern regarding the sale of liquor, generally.

(Added Aug 2019)

2.3.4 For all new premises, objections must be submitted in writing and received by AGLC within 7 calendar days from the date the application is posted on AGLC website in order for the objection to be considered during the current licensing process (See Subsection 2.3.16).

SUBJECT: OBJECTION TO AN APPLICATION

- 2.3.5 For existing licensed premises, only written objections received by AGLC at least 90 days prior to the expiration of the current licence will be provided to the Board for consideration.
- 2.3.6 The objector(s) will be contacted to obtain detailed information regarding the objection. The municipality, local law enforcement and any other applicable agencies may also be contacted to make inquiries as to the potential impact, specific to the objection, of the licence being issued in that community.
- 2.3.7 The applicant will be notified in writing of all objections received, other than those described in Section 2.4.3. *(Amended Aug 2019)*
- 2.3.8 The applicant will be given 14 days from the date of notification to respond in writing to the objection; an extension may be requested by the applicant. No licence(s) will be issued until the objection and the applicant's response, if any, have been considered by the Board.
- 2.3.9 The applicant and the person(s) filing the objection will be advised in writing of the Board's decision. *(Amended Aug 2019)*
- 2.3.10 If no objections to the issue of a new licence are received within the 7 calendar days AGLC will continue with the licensing process. *(Amended Apr and Dec 2020)*
- 2.3.11 If no objections to the issue of an existing licence are received within the 90 calendar days prior to the expiration of the current licence AGLC will continue with the licensing process. *(Amended Dec 2020)*
- 2.3.12 The Board will not consider an objection for an existing licensed premises where there is a sale, transfer or change in control. Should an objection be received during a sale, transfer or change in control, the Board will deal with the objection at least 90 days before the expiration of the new licence term.

Appearances Before the Board

- 2.3.13 Section 94 of the *Gaming, Liquor and Cannabis Act* (GLCA) provides the right to request a hearing only to a licensee or applicant. A person who objects to the issuance of a licence does not have the right to request a hearing before a Panel. *(Added Aug 2019)*
- 2.3.14 If an application is to be heard by a Panel of the Board under Section 94 of the GLCA, AGLC may, at its discretion, call an objector as a witness before such a hearing. *(Added Aug 2019)*

SUBJECT: OBJECTION TO AN APPLICATION**Other Liquor Licence(s)/Registrations**

2.3.15 If any written objection to an application for a liquor licence not referred to above is received by AGLC, the following policies apply:

- a) The applicant will be notified in writing of all objections received.
- b) The applicant for the licence will be given 14 days from the date of notification to respond to the objection; an extension may be requested by the applicant;
- c) The objection and the applicant's response, if any, will be submitted to the President & Chief Executive Officer (CEO) of AGLC for consideration. Should an objection to the issue of a licence be received by AGLC without sufficient time to consider the objection, a new licence may be issued and the objection will be considered by the President & CEO at the earliest possible date.

2.3.16 Any objection to an application for a licence received after the specified time frames noted above will not be taken into consideration. The objector(s) will be advised accordingly.

GUIDELINES

2.3.17 A person requesting the floor plan/site plan of the applicant's proposed premises will be given 7 days from the date the application is posted to view the plans and to submit a written objection. *(Amended Dec 2020)*

2.3.18 Objections and/or requests to view the plans of proposed premises may be forwarded to:

Alberta Gaming, Liquor and Cannabis Commission
Director, Inspections
50 Corriveau Avenue
St. Albert, AB. T8N 3T5
Fax: 780-447-8913
Email: Inspections.Mailbox@aglc.ca

2.3.19 If a request to view the plans is received, AGLC will contact the stakeholder to arrange a time to view the floor plan/site plan at the nearest AGLC office to the proposed premises. See Section 1.3 for AGLC office locations.

SUBJECT: CONVERSION FROM CLASS D RETAIL LIQUOR STORE

POLICIES

2.4.1 An existing Class D Retail Liquor Store licence may be converted to a General Merchandise Liquor Store licence except under the following conditions:

- a) if there is more than one Class D Retail Liquor Store in the same municipality.
- b) no written support from the municipality.
- c) less than 15 kilometres from an existing Class D Retail Liquor Store.
- d) less than 15 kilometres from a hotel that has a Class D General Off Sales licence.

SUBJECT: DISTANCE REQUIREMENTS

POLICIES

- 3.1.1 A general merchandise liquor store must normally be located 15 kilometres or more from the nearest retail liquor store or hotel with a general off sales licence.
- 3.1.2 Distance will be determined by measuring, in kilometres, the shortest driving distance on existing public roads from the exact physical location of the proposed general merchandise liquor store to the exact physical location of the nearest existing retail liquor store or hotel with a general off sales licence.

SUBJECT: BUSINESS REQUIREMENTS**POLICIES**

- 3.2.1 General merchandise liquor stores are independent businesses that must not represent themselves as acting as agents of AGLC.
- 3.2.2 General merchandise liquor stores operate in conjunction with another established retail business which sells consumable goods.
- 3.2.3 The business with which the licence is affiliated must continue to operate with the same general types of non-liquor products and in the same manner as originally approved as an agency store.
- 3.2.4 Operators must keep separate sets of records for liquor sales.
- 3.2.5 Licensees shall not enter into an agreement in which one (1) party is to receive remuneration for working in the store based on the amount of liquor sold at the store.
- 3.2.6 Operators shall not enter into a contract or agreement, whether written or oral, which contains a condition or provision by which the remuneration, salary, commission, or other money payable under the contract or agreement is to vary with the volume of sales or brand of product.
- 3.2.7 The owner of a general merchandise liquor store shall not have a direct or indirect financial interest in, or be involved in the management of, or be an employee or representative of:
- a) a liquor supplier or liquor agency which sells liquor to AGLC; or
 - b) AGLC
- 3.2.8 A person/company may own more than one (1) general merchandise liquor store and/or other licensed premises, except for a Class E manufacturer's licence. If the other licensed premises is a Class D retail liquor store, the business under which the liquor store operates must be separate from any other business. *(Amended Jan 2017)*
- 3.2.9 If the licensed business is owned by a limited company, the operator is required to provide a "Particulars of Incorporation of Company" which identifies all company shareholders and directors. Any changes in shareholders must be approved by AGLC prior to the changes.
- 3.2.10 AGLC must be advised of any change in the management of the business.

SUBJECT: BUSINESS REQUIREMENTS

- 3.2.11 Minors may be hired to work in the business but shall not be involved in the sale or serving of liquor products.
- 3.2.12 General merchandise liquor store owners and employees are prohibited from consuming alcohol or being under the influence of alcohol while on duty.

SUBJECT: FACILITY REQUIREMENTS**POLICIES**

- 3.3.1 The general merchandise liquor store must be situated in a permanent building and be operated as originally approved.
- 3.3.2 Where the premises are leased, written permission from the owner is required to retail liquor.
- 3.3.3 The design and construction of general merchandise liquor stores must meet local municipal building code and zoning requirements.
- 3.3.4 General merchandise liquor stores are independent businesses that must not represent themselves as acting as agents of AGLC.
- 3.3.5 Stores offering a self-service style of operation must merchandise liquor product from an area which is:
- a) physically separated from the products carried in the primary business, for example on a separate shelf, or in a dedicated corner, alcove or room; and
 - b) clearly visible from and in close proximity to the main sales counter; or
 - c) staffed by an adult at all times the liquor area of the store is open.
- 3.3.6 Drive-through windows are prohibited.
- 3.3.7 General merchandise liquor stores must store their liquor products on site.
- 3.3.8 General merchandise liquor stores cannot be relocated without the prior approval of AGLC.

GUIDELINES

- 3.3.9 The store may be designed to provide self-service, over-the-counter service or a combination of service styles; however, primary consideration shall be given to the control of liquor products.
- 3.3.10 Adequate security should be addressed for the premises, by:
- a) developing store security procedures;
 - b) contacting the local police for a crime analysis of the premises, local crime activity and information on loss prevention awareness programs; and

SUBJECT: FACILITY REQUIREMENTS

- c) developing training/programs for staff on armed robberies, break, enter and thefts, shoplifting, physical assault, cash handling procedures, counterfeit currency, fraudulent use of credit cards, customers short changing clerks, and issuing of Petty Trespass Act notices.

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)**POLICIES**

3.4.1 A liquor licensee cannot sell, assign or transfer a liquor licence.

3.4.2 A liquor licence is automatically cancelled when:

- a) a licensee sells, assigns or transfers a portion of the business in which activities authorized by the liquor licence are carried out; and
- b) the sale, assignment or transfer results in a change in control of the business.

3.4.3 A proposed sale, assignment or transfer of a portion of a business:

- a) that is a sole proprietorship, a partnership or a corporation but not a distributing corporation, as defined in the *Business Corporations Act*; and
- b) in which the activities authorized by a liquor licence are carried out;

must be reported to and approved by AGLC prior to the effective date of the sale, assignment or transfer.

3.4.4 A sale, assignment or transfer of five per cent or more of a business:

- a) that is a distributing corporation as defined in the *Business Corporations Act*; and
- b) under which the activities authorized by a liquor licence are carried out;

must be reported to AGLC within 10 business days of the effective date of the sale, assignment or transfer and approved by AGLC.

3.4.5 AGLC may, with respect to a sale, assignment or transfer as per Subsections 3.4.3 and 3.4.4:

- a) approve it without conditions;
- b) approve it with conditions;
- c) approve it with changes to or removal of existing conditions; or
- d) refuse to approve it.

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)

- 3.4.6 Where AGLC refuses to approve a sale, assignment or transfer, after the sale, assignment or transfer takes effect AGLC may treat the licensee as ineligible to hold a liquor licence and:
- a) cancel or suspend the licence;
 - b) require a person to dispose of an interest in the business under which the activities authorized by the licensee are carried out; and/or
 - c) require a person to dispose of an interest in a licensed premises.
- 3.4.7 When a licensed premise must be closed due to significant damage by fire or other natural event, the licence is cancelled by AGLC. However, the licensee may obtain a new licence if the premises is restored to an acceptable condition, complies with current policies and the licensee continues to qualify to hold a liquor licence.
- 3.4.8 Existing licences may remain in effect if a licensee is placed in receivership or bankruptcy. The licence may continue for a period determined by the Board of AGLC and is subject to any conditions imposed on the licence by the Board.
- 3.4.9 AGLC will refuse to grant a licence to a new owner when an Incident Report or disciplinary action is in progress against the existing licensee until such time as the Incident Report or disciplinary action has been dealt with by AGLC.
- 3.4.10 A licence application fee will not be charged when:
- a) individual owners incorporate and a controlling interest in the business continues to be held by the original owners;
 - b) the transfer or assignment of shares does not result in a transfer of control of the business; or
 - c) only the name of the company or premises changes.
- 3.4.11 The seller of a licensed premises may apply for a refund of the annual licence fee when:
- a) the premises have been sold; and
 - b) the licence certificate has been returned.
- 3.4.12 A refund will not be paid when:

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)

- a) the premises are destroyed by fire;
- b) the premises are closed or licence surrendered;
- c) the licence has been cancelled by the Board;
- d) there is a change of licence class; or
- e) the licence is seasonal.

3.4.13 Refunds are based on the original annual licence fee less:

- a) the prorated portion during which the licence was in effect; and
- b) a \$100 administration charge.

GUIDELINES

3.4.14 Prospective applicants wishing to purchase a licensed premises can find a list of the documents required by AGLC in Subsection 11.4: Sale or Lease of Premises.

3.4.15 A licensee selling or closing their premises permanently may sell their remaining liquor stocks to another licensee. The purchaser of the liquor stocks is responsible to ensure the product is legal and of acceptable quality (i.e., not adulterated or contaminated).

SUBJECT: HOURS OF LIQUOR SERVICE

POLICIES

- 4.1.1 The general merchandise liquor store may set its hours of operation between the maximum allowable hours of 9:00 a.m. and 2:00 a.m., Monday through Sunday. Stores may operate reduced hours. *(Amended Dec 2020)*
- 4.1.2 The Board has the authority to reduce or increase hours of operation.
- 4.1.3 A Class D licensed premises must be closed:
- a) *(Deleted Dec 2019)*
 - b) at all times other than the hours endorsed for liquor sales on the licence, unless the premises is also a Class A licensed premises.
- 4.1.4 The maximum hours of liquor sales will be noted on the General Merchandise Liquor Store licence, which must be prominently displayed in the liquor sales area at all times.
- 4.1.5 On the date Daylight Savings Time takes effect or ends, liquor sales must end before clocks are adjusted and may not re-start until the next business day.

GUIDELINES

- 4.1.6 Municipalities will notify stores if they must remain closed during municipal elections.

SUBJECT: LIQUOR PRODUCTS AND PRICING**POLICIES**

- 4.2.1 A general merchandise liquor store shall not possess, keep, sell or provide any liquor product at or from the store which has not been purchased directly from AGLC or from a liquor supplier or liquor agency authorized by AGLC to warehouse and distribute its products, or from other Class D licensees.
- 4.2.2 All general merchandise liquor store licensees must maintain invoices and receipts to account for the lawful purchase of all liquor on the premises.
- 4.2.3 A general merchandise liquor store is responsible for determining the categories, brands and sizes of products available for sale in the store.
- 4.2.4 Liquor adulterated in any manner, purchased or possessed illegally, brought into Alberta illegally or manufactured illegally, is subject to immediate seizure by Inspectors. Licensees involved in such activities are subject to prosecution and to penalties imposed by the Board.
- 4.2.5 General merchandise liquor stores may set their own retail prices. Prices may be adjusted based on consumer response and market forces.
- 4.2.6 Retail prices must be clearly displayed.
- 4.2.7 Cash register receipts must be provided for all liquor products sold.
- 4.2.8 Liquor products must be sold in sealed containers as supplied by the liquor supplier or liquor agent. Special considerations exist for draught beer and bulk wine sales, including:
- a) the cap design should enable the purchaser to demonstrate that the container has not been opened during transportation;
 - b) available quantities and related prices must be clearly displayed;
 - c) disposable containers are acceptable, however, a container deposit may become necessary to ensure environmental concerns are addressed; and
 - d) the federal government sets standards in areas such as acceptable container material and labelling content.

SUBJECT: LIQUOR PRODUCTS AND PRICING

- 4.2.9 A general merchandise liquor store may sell cooking wines, cooking liquors, stomach bitters and herbal beverages provided the products are purchased as stated in Subsections 5.1.5 – 5.1.7.

SUBJECT: NON-LIQUOR PRODUCTS

POLICIES

- 4.3.1 A general merchandise liquor store is affiliated with a primary business which operated prior to the approval of the liquor licence. The primary business must continue to operate in the same manner as when the liquor licence was approved.
- 4.3.2 Any significant change to the type of primary business the liquor licence is affiliated with must be approved by AGLC, in advance.

SUBJECT: MINORS**POLICIES**

- 4.4.1 It is an offence under the GLCA to sell or provide liquor to sell or provide liquor to anyone under 18 years of age. Management and staff of a licensed premise are responsible to ensure liquor is not sold or provided to minors.
- 4.4.2 No minor may sell liquor products in a general merchandise liquor store.
- 4.4.3 Licensee staff are required to obtain valid identification and verify proof of age whenever a person who appears to be under 25 years of age attempts to buy liquor.
- 4.4.4 For the purposes of Subsection 4.4.3, valid primary identification must:
- a) have a photo;
 - b) have a name;
 - c) (Deleted Nov 2019)
 - d) be Government issued;
 - e) include date of birth;
 - f) not be expired;
 - g) have a unique identifier number; and
 - h) be an original (not a copy).
- 4.4.5 If the identification appears not to be genuine, licensee staff must request a second piece of identification. Valid secondary identification must:
- a) have a name;
 - b) be Government issued;
 - c) have a unique identifier number; and
 - d) include date of birth.
- 4.4.6 Signage regarding minors and the requirement to produce identification is to be displayed in a prominent location of the store.

SUBJECT: MINORS

GUIDELINES

- 4.4.7 Identification should be carefully examined under good lighting and/or a black light should be used to ensure the:
- a) photograph is a true likeness and has not been substituted;
 - b) the plastic laminate has not been tampered with; and
 - c) the lettering of the name, date of birth and other data have not been altered (lettering that has been altered will show up under a black light).
- 4.4.8 Licensee staff may telephone police whenever a minor attempts to purchase liquor, is found consuming liquor or is found in a licensed premises where minors are prohibited.
- 4.4.9 (Deleted Nov 2019)

SUBJECT: INTOXICATED PERSONS**POLICIES**

- 4.5.1 Licensees and staff are prohibited from providing or selling liquor to anyone who appears to be intoxicated by liquor or a drug.

GUIDELINES

- 4.5.2 A person who is intoxicated by liquor or under the influence of a drug may:
- a) stagger (have an unsteady walk);
 - b) have poor coordination;
 - c) slur their words;
 - d) have bloodshot eyes and/or breath that smells of alcohol;
 - e) be messy in appearance; or
 - f) behave in an overly bold, disruptive manner.
- 4.5.3 If licensee staff is aware an apparently intoxicated person drove to the licensed premises, the staff should suggest the person take a taxi and offer to call for one.
- 4.5.4 If an apparently intoxicated person leaves a licensed premises and gets into a motor vehicle to drive, licensee staff should note the licence plate number, model and colour of the vehicle and the direction the vehicle is travelling, and notify police immediately.

SUBJECT: DELIVERY SERVICE**POLICIES**

4.6.1 Liquor delivery is subject to the following conditions:

- a) Liquor must only be delivered to locations within Alberta where liquor possession and consumption is legal (i.e., a private residence, temporary residence or office).
- b) The delivery person must be at least 18 years of age and either be: (Amended Dec 2020)
 - i) the licensee;
 - ii) staff of the licensee, including contracted staff, whose actions are the responsibility of the licensee; or (Amended Dec 2019)
 - iii) a delivery service licensee. If a store contracts with an individual or company (e.g. taxi) to deliver orders, that party must have a delivery service licence. The store must demand proof that a licence is in effect.
- c) Liquor may be delivered by a common carrier.
- d) Liquor must not be delivered to a minor or intoxicated person.
- e) When an order is to be delivered to an individual who appears to be under age 25, the delivery person must check photograph identification (see Subsection 4.4). (Amended Dec 2019)

4.6.2 (Deleted Dec 2019)

4.6.3 A liquor order must leave the general merchandise liquor store during the maximum hours of operation, (9:00 a.m. to 2:00 a.m.); however an additional 30 minutes is permitted for delivery. (Amended Dec 2020)

4.6.4 (Deleted Dec 2019)

GUIDELINES

- 4.6.5 General merchandise liquor store operators may provide a delivery service.
- 4.6.6 A fee may be charged for delivery services.
- 4.6.7 The store may deliver more than one order at a time.
- 4.6.8 Delivery services exclusively to other licensees may commence at 7:00 a.m., any day of the week.

DATE ISSUED: December 21, 2020

AUTHORITY:

Original signed by
Len Rhodes

SUBJECT: COLLECTION OF PERSONAL INFORMATION**POLICIES**

- 4.7.1 Pursuant to Section 69.2(1) of the GLCA, a licensee may, but is not required to, collect a patron's name, age and photograph. No other information may be collected.
- 4.7.2 Licensees using electronic scanning systems must develop written procedures for:
- a) how the equipment will be used;
 - b) how the data collected will be used;
 - c) how the data collected will be retained;
 - d) who will have access to the data; and
 - e) how the data will be provided to other licensees and the police.
- 4.7.3 *(Deleted Dec 2020)*
- 4.7.4 Licensees must comply with the guidelines established by the Office of the Information and Privacy Commissioner (OIPC) (see Subsection 4.7.6).

GUIDELINES

- 4.7.5 Licensees may wish to consider the use of an electronic scanning system if there are:
- a) incidents of violence, or otherwise unacceptable behaviour, in or around the licensed premises;
 - b) attempts by gang members, gang associates or drug dealers to enter the licensed premises; or
 - c) attempts by minors to enter the licensed premises.
- 4.7.6 The OIPC has established guidelines for collecting personal information. The key guidelines include:
- a) Should a licensee use scanning technology to collect a patron's name, age and photograph, the technology must be programmed to only collect this limited, specific information. Otherwise, it is against the law to scan or photocopy the entire face of a patron's driver's licence or other identification as a condition of allowing them to enter the licensed premises: Personal Information Protection Act (PIPA).

SUBJECT: COLLECTION OF PERSONAL INFORMATION

- b) A licensee may examine identification to confirm the age of a patron.
- c) A licensee can deny a person entry if they refuse to produce identification verifying his/her name and age, or if a person refuses to allow a photograph to be taken.
- d) If a licensee does collect personal information, it may only be used to decide whether to let a person into the premises. Use for any other purpose would have to be reasonable and would require consent from the patron.
- e) A licensee can disclose the information they collect:
 - i) to other licensees, if the licensee reasonably believes a patron has broken a law;
 - ii) to other licensees, if a patron is a threat to others; and
 - iii) to a police officer, upon request.
- f) Other licensees may then use the information to decide whether or not to allow a specific person onto their premises, and for no other purpose.
- g) A licensee must tell patrons why the information is being collected. This can be done using a sign.
- h) Once it is collected, the licensee is responsible for protecting the information against loss, theft, or improper use. Access to the information should be restricted to those who need to know.
- i) A licensee must give a person access to the information it has collected about that person. If someone asks, they should be directed to an employee of the licensee who can assist them.

4.7.7 For more information on the collection, storage, and disclosure of personal information see *Guidelines for Licensed Premises: Collecting, Using and Disclosing Personal Information of Patrons* at the OIPC website at oipc.ca or contact the OIPC at 403-297-2728 or 1-888-878-4044.

SUBJECT: GENERAL INFORMATION**POLICIES**

5.1.1 AGLC is the sole importer of liquor into Alberta. All liquor offered for sale in a licensed premises must be purchased by the licensee from one of the following AGLC-approved sources:

- a) St. Albert warehouse (i.e., Connect Logistics Services Inc.);
- b) a liquor supplier or liquor agency authorized to warehouse and distribute products (e.g., domestic brewery); or
- c) a Class D retailer authorized to sell to licensees (i.e., retail liquor store, general merchandise liquor store, general off sales licensees) at prices negotiated between the parties).

5.1.2 A licensee must keep a record of all liquor purchases (i.e., invoices and receipts) to prove the source of all liquor in the licensed premises.

5.1.3 *(Deleted Dec 2020)*

5.1.4 Two (2) or more licensees may consolidate their orders (i.e., place their orders together) to satisfy minimum order requirements. The following conditions apply:

- a) A consolidated order must refer to only one (1) licence number and be shipped on one (1) bill of lading.
- b) The licensee placing the order is responsible for full payment.
- c) Once the licensee who placed the order receives it, the products may be distributed to other participating licensees.
- d) The licensee who received the order is authorized to collect payment from other participating licensees for the wholesale price of their products, plus any portion of the freight costs.

Non-Beverage Liquor Products

5.1.5 A Class D licensee may purchase the following liquor products directly from suppliers or distributors:

- a) cooking wines containing 20% or less alcohol by volume and a minimum of 1.5 grams of salt per 100 ml;
- b) cooking liquors containing 20% or less alcohol by volume not considered drinkable by AGLC;

SUBJECT: GENERAL INFORMATION

- c) stomach bitters containing 20% or less alcohol by volume, or stomach bitters of higher alcohol content sold in containers of 200 ml or less; and
- d) herbal beverages containing 20% or less alcohol by volume.

5.1.6 A Class D licensee must purchase the following products from an AGLC-approved source: *(Amended Dec 2020)*

- a) cooking wines and spirits containing more than 20% alcohol by volume;
- b) cooking wines and spirits containing 20% or less alcohol by volume and considered drinkable by AGLC;
- c) stomach bitters containing more than 20% alcohol by volume and sold in containers larger than 200 ml; and
- d) herbal beverages containing more than 20% alcohol by volume.

5.1.7 *(Deleted Dec 2020)*

SUBJECT: PURCHASES FROM AGLC (CONNECT LOGISTICS SERVICES INC.)**GUIDELINES**

5.2.1 Connect Logistics Services Inc. (CLS) operates an order desk at the St. Albert warehouse for licensees.

5.2.2 To place an order, or for information about order days, minimum order quantities, product pickup and delivery, contact CLS during regular business hours:

Hours: 6 a.m. – 2:30 p.m. Monday through Friday
8 a.m. – 2:30 p.m. Sunday

Phone: 1-800-661-8943 toll-free across Alberta, or
780-458-4504 in the Edmonton area

Fax: 1-800-727-8960 toll-free across Alberta, or
780-458-4515 in the Edmonton area

5.2.3 Orders may also be placed through the CLS website liquorconnect.com. To register for online services, call CLS at 1-800-265-6784.

5.2.4 The following information is required to place an order:

- a) name of licensed retail outlet;
- b) AGLC licence number;
- c) 6-digit product code for each item ordered (see the Liquor Wholesale Price list); and
- d) quantities required (full case).

5.2.5 CLS will confirm pickup or delivery arrangements at the time of ordering.

5.2.6 Product pricing information is available on AGLC web site aglc.ca to register for online access, contact AGLC at 1-800-272-8876, or in the Edmonton area at 780-447-8863. Prices are updated every two (2) weeks.

5.2.7 Licensees wanting to order products not available through CLS must use the services of a registered agent/supplier.

SUBJECT: PURCHASES FROM CLASS E MANUFACTURERS**GUIDELINES**

- 5.3.1 Licensees may order brewery products from AGLC as follows:
- a) To order Molson or Labatt beer, contact Brewers Distributor Ltd.:
 - Calgary and area 403-531-1080
 - Province-wide 1-800-661-2337
 - b) To order Big Rock beer, contact Big Rock Brewery:
 - Edmonton and area 780-413-6677
 - Calgary and area 403-720-3239
 - Red Deer & south 1-800-242-3107
 - North of Red Deer 1-800-381-4682
 - Fax 403-236-7523
 - c) To order Sleeman products, contact the Sleeman Distribution Centre:
 - Province-wide 1-888-517-8764
 - Fax 1-888-517-8760
 - d) *(Deleted Mar 2017)*
- 5.3.1.1 Licensees may also order product from Class E breweries, wineries and distilleries. Manufacturers' contact information can be located using the following link on AGLC website: aglc.ca/liquor/liquor-provider-search. Select 'Licence Class', 'Class E' and 'Search'. *(Added Mar 2017)*
- 5.3.2 Breweries, wineries and distilleries may offer delivery services, set minimum order quantities for delivery and/or require payment before delivery. *(Amended Mar 2017)*

SUBJECT: PURCHASES FROM CLASS D RETAILERS

GUIDELINES

- 5.4.1 General merchandise retail liquor stores may sell to or purchase liquor from any authorized Class D retailer.
- 5.4.2 Prices and quantities purchased are negotiable between the purchaser and the retailer.
- 5.4.3 Ordering, payment and pick-up or delivery conditions are set by the retailer.

SUBJECT: PURCHASES FROM A PRIVATE PARTY OR ESTATE

POLICIES

- 5.5.1 In exceptional circumstances, a retail liquor store may purchase liquor products from a private party or an estate. The retail liquor store licensee must obtain approval in writing from AGLC before making the purchase.
- 5.5.2 AGLC will approve this type of purchase only if it can be proven that the liquor products were initially purchased legally in Alberta.

SUBJECT: ABSOLUTE ALCOHOL**POLICIES**

5.6.1 Ethyl alcohol is a controlled product and may only be purchased by:

- a) holders of Industrial Use Licence;
- b) physicians;
- c) pharmacists; and
- d) veterinarians.

5.6.2 General merchandise liquor stores are not permitted to stock or sell absolute alcohol.

GUIDELINES

5.6.3 Inquiries received at a general merchandise liquor store liquor for the purchase of absolute alcohol are to be referred to AGLC, St. Albert, at 780-447-8846.

SUBJECT: LIQUOR COST AND PAYMENT**POLICIES**

- 5.7.1 Liquor cost to a licensee must be based on product prices at the time the order is placed.
- 5.7.2 Payment must be warehouse-specific, with a separate transaction for each order placed under a specific licence number.
- 5.7.3 Payment must be confirmed before an order is released to a licensee. The following forms of payment are acceptable:
- a) cash;
 - b) certified cheque;
 - c) bank draft;
 - d) bank money order;
 - e) uncertified cheque or interactive voice response (IVR), if provided with a bank guarantee letter (see Subsection 5.7.4); or
 - f) direct deposit through an approved financial institution if:
 - i) authorized by AGLC; or
 - ii) direct deposit set-up was initiated by AGLC; or
 - iii) Third Party Payment Processor (TPP) listed by AGLC. (Added Feb 2021)
- 5.7.4 When a bank guarantee letter is required:
- a) for licensees except cottage winery licensees, the bank guarantee must be equal to or greater than the licensee's total anticipated weekly purchases.
 - b) for cottage winery licensees, the bank guarantee must be equal to or greater than the licensee's total anticipated sales for a two (2) month period.
- 5.7.5 No form of credit is extended.
- 5.7.6 If for any reason a cheque (including an IVR "draw cheque") is returned by the bank:
- a) any outstanding orders will not be released to the licensee, nor will the licensee be allowed to place any further orders until

SUBJECT: LIQUOR COST AND PAYMENT

the amount owing is paid by certified cheque or bank money order; and

b) the licensee must pay any service charges determined by AGLC.

5.7.7 Repeated payment problems may result in licence suspension.

GUIDELINES

5.7.8 Questions regarding liquor payments should be directed to AGLC at 780-447-7554 or by fax at 780-447-8917.



SECTION: LIQUOR PURCHASES AND RETURNS

NUMBER: 5.8

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

PAGE 1 OF 1

SUBJECT: REFUNDS FOR DELIVERY PROBLEMS (CLS ONLY)

(Deleted Dec 2020)

Please see the Connect Logistics Services Retail Handbook for information regarding refunds for delivery problems.

DATE ISSUED: April 12, 2012

AUTHORITY:

Original signed by
Marguerite Trussler

SUBJECT: REFUNDS FOR FAULTY PRODUCT**POLICIES**

5.9.1 Licensees that purchase products directly from AGLC through Connect Logistics Service Inc. (CLS) may request a refund from AGLC for the following types of faulty products handled by CLS:

- a) products returned due to customer complaint;
- b) a sealed bottle(s) which:
 - i) is partially filled;
 - ii) has a damaged cap or cork; or
 - iii) is contaminated with a foreign material; and
- c) bottle(s) that are missing from a sealed case, with no imprint in the case.

5.9.2 AGLC validates all faulty product claims.

5.9.3 Faulty product claims will be automatically deducted from consignment payments based on the product's duty paid price (invoice price plus any applicable customs duty/excise duty).

5.9.4 A claim for a refund must be received by AGLC within 30 days of product delivery, except for products returned by customers. Customer returns may be refunded up to one (1) year from the date of invoice. If a product has been discontinued AGLC may decline to provide a refund.

5.9.5 Requests for refunds beyond 30 days, excluding product returned by customers, will be allowed if the claim request includes written approval from the liquor agent. *(Amended Jun 2018)*

5.9.6 Faulty bottles, and cases that are missing bottles, must be kept by the licensee until AGLC approves disposition.

5.9.7 Faulty products approved for credit by AGLC must immediately be destroyed. The product must not be made available for resale. *(Amended Jun 2018)*

5.9.8 Refund amounts are based on the original wholesale price paid by the licensee to AGLC.

5.9.9 Licensees purchasing product from a retail liquor store must report faulty product claims to the retailer. The retailer may then initiate a claim with AGLC for those products purchased directly from AGLC.

SUBJECT: REFUNDS FOR FAULTY PRODUCT

5.9.10 Faulty kegs returned to a brewery are assessed by AGLC. Only kegs at least 80% full by weight are eligible for refund.

5.9.11 Replacement of faulty product by a liquor supplier or liquor agent for products purchased from warehouse other than Connect Logistics must be properly documented, and include the following:

- a) name of licensee;
- b) date replacement was made;
- c) product and quantity replaced;
- d) specific reason for replacement; and
- e) acknowledgement of replacement by the retail liquor store (a copy of the acknowledgement must be kept by the liquor store).

Note: Records must clearly distinguish between:

- i) product used for promotions or sampling; and
- ii) product used to replace faulty product.

5.9.12 *(Deleted Dec 2020)*

5.9.13 When AGLC issues a product recall, the licensee must immediately suspend sales of these products and remove them from store shelves. *(Amended Dec 2020)*

5.9.14 Licensees must deal with the recalled product as directed by AGLC, which may include returning it to the warehouse for a full refund.

GUIDELINES

5.9.15 To make a claim for refund, a licensee must complete a Faulty Product Claim Request form. The form can be found at aglc.ca. Completed forms must be sent to FaultyProduct@aglc.ca.

(Amended Jun 2018)

5.9.16 *(Deleted Dec 2020)*

5.9.17 *(Deleted Dec 2020)*

5.9.18 Refund claims are normally processed within 30 days of receipt of the claim, even if not validated by AGLC within that timeframe. However, the licensee must keep all bottles and cases listed on the form until AGLC approves disposition. Should any of the product be

SUBJECT: REFUNDS FOR FAULTY PRODUCT

missing or otherwise ineligible, the licensee will be required to repay the refund. *(Amended Jun 2018)*

5.9.19 Product analysis by AGLC for faulty product claims may be required.

5.9.20 If a product listed on a Faulty Product Claim Request is ineligible for refund, AGLC will advise the licensee and explain why. *(Amended Dec 2020)*

5.9.21 Dry breaks (no product spilled) should not be reported on a Faulty Product Claim Request form. Compensation for dry breaks is automatically processed each year, based on the licensee's purchases the previous year. *(Amended Dec 2020)*

Products Causing Illness

5.9.22 Customer allegations of injury or illness resulting from a faulty product must be reported immediately to AGLC Product and Pricing Department: *(Amended Jun 2018)*

Alberta Gaming and Liquor Commission
50 Corriveau Avenue
St. Albert, Alberta T8N 3T5
Attention: Product and Pricing
Telephone: 780-447-8832
Email: Product@aglc.ca

SUBJECT: EMPTY CONTAINER RETURNS

POLICIES

- 5.10.1 AGLC does not require general merchandise liquor stores to accept containers for refund.

GUIDELINES

- 5.10.2 Empty beverage container returns in Alberta are governed by the Beverage Container Management Board (BCMB), a body delegated authority by the Environmental Protection and Enhancement Act to administer the Beverage Container Recycling Regulation.

5.10.3 *(Deleted Dec 2020)*

5.10.4 *(Deleted Dec 2020)*

5.10.5 *(Deleted Dec 2020)*

5.10.6 *(Deleted Dec 2020)*

5.10.7 *(Deleted Dec 2020)*

5.10.8 *(Deleted Dec 2020)*

- 5.10.9 For information on operating a container return depot, contact:

Beverage Container Management Board

Edmonton, AB. T6A 3M1

Phone: 780-424-3193

Toll Free: 1-888-424-7671

Fax 780-428-4620

bcmb.ab.ca

(Amended Dec 2020)

SUBJECT: CUSTOMER RETURNS**POLICIES**

- 5.11.1 A retail liquor store must accept full resalable containers of liquor returned for refund by a special event licensee, if the product was purchased at that retail liquor store. The customer must present a copy of the Special Event Licence (SEL) used at the event. A restocking fee may be charged. *(Amended Nov. 2017)*

GUIDELINES

- 5.11.2 General merchandise liquor stores may accept full resalable containers of liquor sold to the general public and returned for refund.
- 5.11.3 General merchandise liquor stores may use the following as a guide for determining whether or not a returned product is in sellable condition:
- a) closures are not weak, loose or damaged;
 - b) seal strips are intact;
 - c) label on bottle is intact; or
 - d) bottle is not cracked.

Note: This list is not exhaustive and store operators may use their discretion in determining whether the product is sellable or may have been damaged or tampered with.

SUBJECT: GENERAL INFORMATION**POLICIES****6.1.1** For all of Section 6,

a) "advertising" means the use of media to communicate a message to an audience through words, audio and/or visuals. It is communicated through various mass media, including but not limited to:

i) traditional media such as television, radio, newspapers, magazines, outdoor advertising, flyers, billboards, transit shelters, inflatables, commercial and corporate vehicles or direct mail; and

ii) new media, including but not limited to digital and social media advertising, organic social media posts on newsfeeds and/or profiles, email, search results, blogs, websites or short message service (SMS);

(Amended Aug 2019)

b) "liquor agency" includes all associated shareholders, directors, management, agents and employees of liquor agencies and suppliers;

c) "records" are electronic or paper documents that summarize a transaction and include the documents to support these transaction. These documents include, but are not limited to, financial statements, invoices, receipts, vouchers, contracts, cancelled cheques, credit card receipts and emails. *(Added Apr 2016)*

6.1.2 A liquor agency, a licensee or a third party acting on their behalf (i.e., marketing company) may advertise in any medium not specifically prohibited, as long as the advertising complies with these policies, the Canadian Radio and Television Commission (CRTC) and any other regulator with jurisdiction.

6.1.3 All advertising must be:

a) accurate and verifiable; and

b) within the limits of good taste and propriety (i.e. not offensive to the general population).

6.1.4 Advertising must not:

a) be targeted at minors;

SUBJECT: GENERAL INFORMATION

- b) encourage non-drinkers to consume liquor;
- c) promote irresponsible liquor consumption or service;
- d) show heavy or prolonged liquor consumption;
- e) give the impression liquor benefits a person's health;
- f) disparage (put down) another company, business or product.

6.1.5 Brand advertising is allowed by a liquor supplier or a manufacturer's off-sales licensee. Brand advertising by Class D licensees must comply to Subsection 6.2.

6.1.6 Co-operative advertising (advertising by licensees that includes the specific mention of liquor manufacturers/suppliers/agencies) is permitted under the following conditions: *(Amended Apr 2016)*

- a) the licensee must pay all costs pertaining to the advertising; and
- b) all records for advertising must be kept by the licensee for a period of two years and provided to AGLC on request.

6.1.7 A liquor supplier/agency is not allowed to pay any advertising costs for a licensee, either directly or indirectly.

6.1.8 A liquor supplier/agency's advertising must not be directed to a particular licensee/chain of licensees.

6.1.9 Advertising not specifically addressed in Section 6 requires the prior approval of AGLC.

GUIDELINES

6.1.10 Advertising which promotes the responsible consumption of liquor (i.e., legal, moderate and safe) is highly recommended and supported by AGLC.

6.1.11 Advertising may be of any size, frequency and duration, within the limits set by the CRTC and other regulators.

6.1.12 References to brand advertising do not apply to Special Event licensees.

6.1.13 Corporate or brand identification may be used in public service or community advertising.

SUBJECT: GENERAL INFORMATION

- 6.1.14 Liquor agencies and licensees are responsible to ensure their advertising complies with these policies, including any advertising conducted by a third party.
- 6.1.15 A licensee and a manufacturer of non-liquor products may advertise jointly, as long as the advertising complies with Section 6 policies.

SUBJECT: ADVERTISING BY CLASS D LICENSEES AND DUTY FREE STORES**POLICIES**

- 6.2.1 A general merchandise liquor store (i.e., Class D licensed premises or Duty Free Store) may advertise the:
- a) premises' name and location;
 - b) hours of operation;
 - c) products available, including sizes; and
 - d) product prices, including discount prices.
- 6.2.2 Comparative price advertising is allowed, but must not disparage a competitor or competitor's product (see Subsection 6.1.4f).
- 6.2.3 Brand advertising is acceptable, with the following conditions:
- a) the licensee must receive permission in advance from the liquor supplier (or whoever owns/controls the brand identification) to use the brand logo, typeset or trademark; and
 - b) the licensee may not request or receive any benefit (money or other) from a liquor supplier for advertising its brands.
- 6.2.4 A licensee who also owns or operates another company or business may not:
- a) conduct common/joint advertising featuring both business interests in the same advertising (joint advertising); or
 - b) use one business to promote the other (cross-market advertising/promotions).
- 6.2.5 *(Deleted Jul 2020)*
- 6.2.6 The restrictions of Subsection 6.2.4 also apply to any general merchandise liquor store which uses the trademark name of another business or company not owned or operated by the licensee.
- 6.2.7 Class D liquor delivery service advertising must not promote the use, sale or consumption of liquor.
- 6.2.8 Signage for a Class D licensed premises must comply to Section 3.3 of the Retail Liquor Store Handbook.



SECTION: ADVERTISING

NUMBER: 6.3

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

PAGE 1 OF 1

SUBJECT: ADVERTISING BY SPECIAL EVENT LICENSEES

(Deleted Dec 2020)

Please see the Special Event Licence Policies and Guidelines at aglc.ca for policies regarding Advertising by Special Event Licensees

DATE ISSUED: December 14, 2020

AUTHORITY:

Original signed by
Len Rhodes



SECTION: ADVERTISING

NUMBER: 6.4

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

PAGE 1 OF 1

SUBJECT: ADVERTISING CONTENT RESTRICTIONS

(Deleted Dec 2020)

Please see the Liquor Agency Handbook and Section 6.1 of the General Merchandise Liquor Store Handbook for Advertising Content Restrictions.

DATE ISSUED: December 14, 2020

AUTHORITY: Original signed by
Len Rhodes

SUBJECT: SPONSORSHIPS**POLICIES**

- 6.5.1 Sponsorship may only involve the unconditional donation of cash or merchandise, a trophy, and/or a prize, by a licensee, agency or supplier, directly to an event or team. *(Amended Dec 2016)*
- 6.5.2 A licensee, agency or supplier may sponsor or co-sponsor an event or team with the following conditions:
- a) a liquor supplier or brand name may be used only if the event or team is adult-oriented and not geared toward minors; and
 - b) a Class A, B, C or D licensee may sponsor an event involving minors as long as liquor is not mentioned in any way.
- 6.5.3 Sponsorship or co-sponsorship of a publicly advertised contest is allowed with the following restrictions:
- a) participation in a contest or raffle must not be conditional on the purchase or consumption of liquor;
 - b) a contest sponsored by a liquor supplier must be directed only towards persons of legal drinking age; and
 - c) if the contest is conducted on licensed premises, the licensee must also comply with Subsection 7.7.1
- 6.5.4 Sponsorship promoting a specific brand of liquor in a Class A, B, or C licensed premises requires the prior approval of AGLC. All other eligible sponsorships do not require the approval of AGLC. *(Amended Dec 2016)*
- 6.5.5 A sponsored event held on-campus at an educational institution must have the prior approval of the institution's administration.
- 6.5.6 Corporate or brand names and logos may:
- a) be displayed on a permanent sign in an arena or stadium used primarily for sporting or entertainment events (e.g., scoreboard panel, rink board);
 - b) be displayed on a temporary sign in a community arena or in a stadium during a sponsored event (e.g., banner); and
 - c) not be displayed on signs at events involving minors (for example, Minor Hockey Week).

SUBJECT: SPONSORSHIPS

6.5.7 A corporate or brand name and logo may be displayed on a corporate vehicle and the vehicle may appear at a sponsored event.

6.5.8 A liquor agency, supplier or licensee may own a sports franchise.

6.5.9 Sponsorship advertising is allowed before and during a sponsored event with the following conditions:

- a) if the event has a licensed area, approved promotional materials may be displayed within the licensed area; and
- b) all advertising and promotional materials must comply with Sections 6 and 7.

6.5.10 The focus of sponsorship advertising shall be on the event or activity being sponsored, and not a liquor agency, supplier or brand.

GUIDELINES

6.5.11 Proposed agreements may be submitted to AGLC by mail, fax or email at the following.

50 Corriveau Avenue
c/o Inspections Branch
St. Albert, Alberta
T8N 3T5
Fax: 780-447-8912
Email: inspections.mailbox@aglc.ca

6.5.12 Items displaying a brand logo may be donated to a registered charity for use as give-aways and raffle prizes.

SUBJECT: TRADE SHOWS**POLICIES**

- 6.6.1 Participation in a liquor industry trade show may be undertaken with a display booth. The following conditions apply:
- a) Participation in a liquor industry trade show may be advertised.
 - b) The display booth may advertise liquor and related products and staff may wear promotional clothing. Promotional and educational materials may be given away.
 - c) A liquor supplier/agency is allowed to sell or provide tastings of liquor products as follows:
 - i) Liquor tastings may be provided only to persons 18 years of age or older. Minors are not allowed to serve or to handle liquor.
 - ii) Liquor tastings must be provided from a display booth. The booth must be staffed at all times liquor is available.
 - iii) Liquor suppliers/agencies or their employees must not provide liquor while under the influence of liquor. Adequate measures must be taken to secure liquor supplies after-hours.
 - d) All categories of liquor may be provided as samples. Maximum tasting sizes are as follows:
 - i) beer and ciders – 112 ml (4 oz.); *(Added Mar 2018)*
 - ii) refreshment beverages (e.g. coolers/premixed) – 112 ml (4 oz.); *(Amended Mar 2018)*
 - iii) wine – 56 ml (2 oz); *(Amended Mar 2018)*
 - iv) spirits – 28 ml (1 oz); and *(Amended Dec 2020)*
 - v) liqueurs – 28 ml (1 oz). *(Amended Dec 2020)*
- 6.6.2 A retail liquor store may apply to sell liquor at a non-liquor industry trade show for off premises consumption. The licensee must obtain AGLC approval in advance, and meet all conditions of the approval.

SUBJECT: TRADE SHOWS

GUIDELINES

- 6.6.3 A licensee participating in a trade show must also comply with the trade show operator's requirements for display booths and liquor tastings.
- 6.6.4 Cooking demonstrations featuring liquor products on display or offered as samples may be conducted at the display booth or in a designated cooking area. Tasting of the prepared dishes is allowed.



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GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: MARKET RESEARCH

(Deleted Dec 2020)

Please see the Liquor Agency Handbook at aglc.ca for policies regarding Market Research.

DATE ISSUED: December 14, 2020

AUTHORITY:

Original signed by
Len Rhodes



SECTION: ADVERTISING

NUMBER: 6.8

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: HOSTING NO SALE FUNCTIONS

(Deleted Dec 2020)

Please see the Liquor Agency Handbook at aglc.ca for policies regarding Hosting No Sale Functions.

DATE ISSUED: December 14, 2020

AUTHORITY:

Original signed by
Len Rhodes

SUBJECT: GENERAL INFORMATION**POLICIES**

- 7.1.1 For all of Section 7:
- a) "Product Promotion" means activities within licensed premises designed to encourage the sale of specific brand(s) of liquor.
 - b) "liquor agency" includes all associated shareholders, directors, management, agents, and employees of liquor agencies and suppliers; and
 - c) "records" are electronic or paper documents that summarize a transaction and include the documents to support these transactions. These documents include, but are not limited to, financial statements, invoices, receipts, vouchers, contracts, cancelled cheques, credit card receipts, and emails. *(Added Apr 2016)*
- 7.1.2 A product promotion must not encourage the irresponsible use, consumption or service of liquor.
- 7.1.3 A licensee may participate in a liquor agency's local, regional, provincial or national corporate or brand promotion, with the following conditions:
- a) Product promotions must be directed to consumers or patrons of a licensed premises, with the exception of tasting (see Subsection 7.5) and sampling (see Subsection 7.6).
 - b) The promotion must take place in a licensed premise.
- 7.1.4 An exclusivity agreement between a liquor agency and a licensee for promotional activities at a community event or sporting venue requires the prior approval of AGLC.
- 7.1.5 A product promotion may be co-sponsored by a third party.
- 7.1.6 Product promotions not specifically addressed in Section 7 require the prior approval of AGLC.

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS**POLICIES**

7.2.1 A liquor agency is prohibited from directing any promotional activity or items to a licensee that could directly benefit the licensee or their staff, and a licensee may not request or accept any such inducements.

7.2.2 Licensees are prohibited from asking for or receiving items of value from an agency as an inducement to stock an agency's product, provide improved shelf positioning to an agency's brand of liquor or for any other consideration.

7.2.3 A liquor agency is prohibited from participating in any way in a licensee's customer loyalty program, and a licensee may not request that a liquor agency participate in such a program.

7.2.4 A liquor agency is prohibited from providing a licensee with a reduced rate for accommodation at a winery, brewery or distillery, or any other place they own, represent or have an interest in.

7.2.5 A liquor agency is prohibited from paying:

- a) a licensee's registration fees, conference fees, tuition or similar costs, except for a seminar or training event which is:
 - i) organized by the liquor agency;
 - ii) held within Alberta; and
 - iii) open to all licensees, or specified class(es) of licensees.
- b) any portion of a licensee's travel expenses, either directly or indirectly, whether for business, vacation or a combination of both; except for local transportation costs (e.g. taxi) to and from a manufacturing facility.

Note: Travel expenses include, but are not limited to, any costs associated with air or ground transportation and accommodation while away from home, except for local transportation costs (e.g. taxi) to and from a manufacturing facility.

7.2.6 A liquor agency may not offer or provide to a licensee:

- a) cash, rebates, coupons or credits of any monetary value;
- b) a deposit into any account held by the licensee, directly or indirectly;

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

- c) free liquor products, other than for sampling purposes as specified in Section 7.6; or
- d) compensation for expenses related to:
 - i) interior decorating (e.g., painting, draperies, carpeting, decor), renovations or maintenance to a licensed premises, or any other property owned, rented or leased by a licensee or anyone directly or indirectly involved with the licensee;
 - ii) furniture, equipment, or fixtures); *(Amended Dec 2020)*
 - iii) refrigeration or dispensing equipment; dispensing equipment noted in 7.2.9.2 and tap handles noted in 7.2.10) *(Amended Dec 2020)*
 - iv) menu printing; or
 - v) other items considered essential to operating a licensed premises (see Section 7.2.10).

7.2.6.1 A liquor agency may provide interior signs displaying the agency's brand to licensees. However, an agency is not permitted to provide signs that display the licensee's business name or signs necessary for the operation of the business (e.g. entry/exit signs and bathroom signs). *(Added Apr 2016)*

7.2.7 A liquor agency may offer a licensee tickets to sporting, cultural or entertainment events, with the following conditions:

- a) tickets must be for events not normally paid for by the licensee.
- b) tickets with an individual value of more than \$500 require the prior approval of AGLC; and
- c) no season tickets may be provided.

7.2.8 A licensee may not accept any offer from a liquor agency or a country's representative (political or non-political) to pay travel expenses specified in Subsection 7.2.5 or any other costs for the licensee, their staff or agents to attend a seminar, convention, meeting or exhibition outside Alberta.

7.2.9 *(Deleted Dec 2020)*

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

7.2.9.1 Liquor agencies may provide a Class D Retail Liquor Store licensee with promotional refrigeration and racking that is portable and standalone. The following specifications regarding the equipment must be met:

a) Refrigerators:

- i) a maximum size of 12 cubic feet;
- ii) a maximum of two refrigerators from one particular agency;
- iii) a maximum of four, agency-provided refrigerators in a licensed premises;
- iv) ownership of the refrigerators must remain with the agency(s); and
- v) services associated with the installation or maintenance of the refrigerators (i.e. electrical and power) must be the sole responsibility of the licensee.

b) Racks:

- i) a maximum size of 36 inches x 48 inches x 72 inches;
- ii) a maximum of two racks from one particular agency;
- iii) a maximum of four, agency-provided racks in a licensed premises
- iv) ownership of the racks must remain with the agency(s); and
- v) services associated with the installation of the racks (i.e. electrical and power) must be the sole responsibility of the licensee

7.2.9.2 An agency may loan towers and proprietary branded dispensing equipment non-essential to the operation of a licensed premises to a licensee. Proprietary branded dispensing equipment is defined as:

- a) stand-alone;
- b) maximum dispensing capacity not to exceed 10 litres;
- c) not utilized as the licensee's primary dispensing method; and

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

- d) services associated to the equipment, including power or any other installation, must be the sole responsibility of the licensee.

(Added Feb. 2018)

7.2.9.3 A loan agreement must be in place and specify the type of equipment being loaned and the term of the agreement. Loan agreements can take any form as long as they contain the aforementioned information. The loan agreement must be provided to AGLC on request. A Buy/Sell Agreement is not to be used as a loan agreement. *(Added Apr 2016)*

7.2.10 A liquor agency may provide a licensee with non-essential items, including:

- | | |
|---|--|
| • aprons or hats for staff | • glasses and mugs |
| • bar towels | • ice buckets |
| • bottle openers and corkscrews | • inflatables |
| • interior branded signs (must not contain or display the licensee's business name) | • lapel pins |
| • clocks | • mirrors |
| • coasters | • napkins |
| • condiment caddies | • patio umbrellas |
| • draught tap handles | • place mats |
| • drip mats | • posters |
| • flags, pennants and banners | • promotional fridges (see Sec. 7.2.9.1a) |
| • fruit slicers | • promotional racks (see Section 7.2.9.1b) |
| | • sandwich boards |
| | • serving trays |
| | • tent cards and inserts |

(Amended Apr 2016)

7.2.11 The following conditions apply to the non-essential items listed in subsection 7.2.10:

- a) branding and co-branding of these items is permitted;
- b) if liquor pricing is stated on any of these items, the prices must match those on the menu or the posted price and must be determined by the licensee; and
- c) they cannot be sold to customers.

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

GUIDELINES

- 7.2.12 Liquor agencies and licensees may contact AGLC if unsure whether an item is considered essential or non-essential.

SUBJECT: BUY/SELL AGREEMENTS (BSA)**POLICIES**

- 7.3.1 "BSA" means a document establishing the terms and conditions under which a liquor agency will provide a licensee with promotional items for its customers in exchange for the licensee promoting a specific brand(s) of liquor.
- 7.3.2 All promotional items provided by an agency to a licensee must be part of a BSA, except liquor for tastings conducted by the liquor supplier (see Subsection 7.5) and added-value items for existing inventory (Subsection 7.8). The following conditions apply:
- a) All promotional items included in a BSA can only be directed to consumers and conform to applicable legislation and Board policies.
 - i) Liquor products may be provided as a draw prize or give-away item in Class D Retail and General Merchandise Liquor Stores.
 - ii) A licensee conducting a promotion on behalf of a liquor supplier must keep a written record of the name, address and telephone number of every person who receives a give-away item with a wholesale value of more than \$100.
 - iii) Cash, cheques, gift cards or prepaid credit cards are prohibited as promotional items and cannot form any part of a BSA.
 - b) A BSA cannot exclude or prohibit any competitor's product(s), unless specifically approved by the Board.
 - c) A BSA must be documented, verifiable and include all of the following information:
 - i) name and registration number of liquor supplier/agency;
 - ii) name, licence number and class of licensed premises;
 - iii) duration of agreement (maximum 12 months);
 - iv) list of promotional items, the value of each item, and/or services provided and their retail value; and

SUBJECT: BUY/SELL AGREEMENTS (BSA)

- v) the terms of the agreement, specifying product brands and quantities (i.e., "while supplies last" or words to that effect are not acceptable).

7.3.3 A copy of a BSA must be kept by the agency and by the licensee on the licensed premises, and provided to AGLC immediately on request. If the liquor agency or licensee has multiple locations, a copy of the BSA must be kept at each agency's location and each licensed premises (original to be provided on request).

7.3.4 A BSA that complies with these policies does not require AGLC approval.

7.3.5 A BSA must be kept for a minimum of two (2) years after the expiry of the agreement.

GUIDELINES

7.3.6 *(Deleted May 2018)*

7.3.7 The effective period of a BSA may be extended if both parties agree. The change of date must be initialled by both the liquor supplier and the licensee on the original document, and must not exceed 12 months.

SUBJECT: LICENSEE PROMOTIONS**POLICIES**

7.4.1 A licensee may conduct promotional activities in the licensed premises with the following conditions:

- a) Free liquor may not be awarded as a prize in a Class A, B or C licensed premises.
- b) A sealed bottle of liquor may be awarded as a prize on a Class D licensed premises, for off premises consumption.
- c) The purchase or consumption of liquor cannot be required in order to participate in a competition, contest, draw, giveaway or similar promotion, and participants must be told that there is no such requirement.
- d) Participants may be required to be present at the time of a draw in order to receive a prize. However, the time, date and place of the draw must be clearly displayed on the premises.

7.4.2 A liquor supplier may donate liquor or merchandise and/or conduct free tastings for a bona fide charitable fundraising event or activity on a licensed premises, with the following conditions:

- a) the liquor supplier and licensee must have a written buy/sell agreement (see Subsection 7.3);
- b) all liquor purchased must be from a Class D licensee or otherwise approved by AGLC;
- c) charitable receipts cannot be issued; and
- d) all profits from the event or activity must be turned over to the charity.
- e) *(Deleted Dec 2020)*

GUIDELINES

7.4.3 There is no limit to the quantity of merchandise and/or liquor that may be donated in support of charitable fundraising.

SUBJECT: LIQUOR TASTINGS**POLICIES**

7.5.1 A liquor tasting is an activity that allows patrons the opportunity to taste featured liquor products. Liquor tastings may be conducted on a Class A, B, C, D or E licensed premises under the following conditions:

- a) minors are not provided liquor;
- b) no one is served the product to the point of intoxication;
- c) the server has valid ProServe certification; and
- d) tasting records are provided to AGLC on request. *(Added Mar 2018)*

7.5.2 Maximum tasting sizes are as follows:

- a) beer and ciders - 112 ml (4 oz.); *(Amended Mar 2018)*
- b) refreshment beverages (e.g. coolers/premixed) - 112 ml (4 oz.); *(Amended Mar 2018)*
- c) wine - 56 ml (2 oz); *(Amended Mar 2018)*
- d) spirits - 28 ml (1 oz); and *(Amended Dec 2020)*
- e) liqueurs - 28 ml (1 oz). *(Amended Dec 2020)*

7.5.3 Liquor agencies are not licensed to sell liquor and as a result may not charge a fee to customers for liquor tastings. This includes tastings conducted by a Class D licensee on behalf of an agency. *(Added Dec 2018)*

7.5.4 A liquor agency may provide free individual tastings of liquor to patrons on a Class A, B, C, D or E licensed premises with the following conditions:

- a) the liquor used for the tastings:
 - i) must be purchased from the licensee, at the licensee's cost of the product, or
 - ii) may be an unfinished product from a previous tasting(s) at another location(s), if the licensee permits the agency to use the product; *(Added Mar 2018)*
- b) the liquor agency or its employee must be present on the licensed premises;

SUBJECT: LIQUOR TASTINGS

- c) the booth or area from which the tastings are offered must be staffed;
- d) the tastings may be served by the liquor agency's employee or the licensee;
- e) the liquor agency and licensee must maintain a written record of the tasting including:
 - i) the date, time and location; and
 - ii) the liquor product(s) along with the quantity and cost.

(Added Mar 2018)

7.5.5 A Class D licensee may conduct free tastings of liquor to patrons on behalf of a liquor agency, with the following conditions:

- a) the liquor agency and the licensee must have a written buy/sell agreement (BSA) (see Subsection 7.3). The BSA must:
 - i) specify the date, time and location of the tasting;
(Amended Mar 2018)
 - ii) identify the liquor product(s) that will be offered along with the quantity and the licensee's cost for the product(s); *(Amended Mar 2018)*
 - iii) identify staffing costs specific to the tasting (i.e., wages, benefits and administrative costs to a maximum of \$25/hour); and *(Amended Mar 2018)*
 - iv) be signed by both the liquor agency and licensee before the tasting can take place.
- b) the liquor agency representing the product(s) being tasted may be involved in the tasting; and *(Amended Dec 2018)*
- c) items charged by the licensee to the liquor agency are limited to staffing costs and the licensee's cost of the product(s) being tasted. *(Added Mar 2018)*

7.5.6 A Class D licensee may conduct its own liquor tastings, independent of a liquor agency, and charge a fee to its customers, with the following conditions:

- a) experts (e.g. manufacturer/agency representative) of the liquor product being tasted may be involved in the tasting for consumer education; *(Amended Dec 2018)*

SUBJECT: LIQUOR TASTINGS

b) the licensee is not allowed to charge back the costs of a tasting to a liquor agency;

c) *(Deleted Dec 2018)*

d) *(Deleted Apr 2020)*

7.5.7 Allowable food items in a Class D premises must be snack-sized portions that complement the liquor being tasted. Full course meals (catered or otherwise) are not permitted. *(Amended Apr 2020)*

7.5.8 *(Deleted Oct 2020)*

7.5.9 Off-premises liquor tastings (no mixed drinks) may be offered by a Class D Licensee at the retail store providing:

a) tasting sizes do not exceed maximum size limits set out in Subsection 7.5.2;

b) the liquor is in a sealed, tamper-proof/tamper-evident container;

c) tastings are not packaged in a manner that resembles a retail liquor product; and

d) information for each of the tasting products is provided to the consumer in a manner that clearly identifies:

i) the percentage of alcohol, volume and brand of liquor; and

ii) the ingredients/contents of each product provided.

(Added Dec 2020)

7.5.10 Off-premises liquor tastings may be delivered. For information on delivery requirements, please see Subsection 4.6.1. *(Added Dec 2020)*

SUBJECT: PRODUCT SAMPLING FOR LICENSEES**POLICIES**

7.6.1 A liquor agency may provide a licensee with liquor products for sampling, with the following conditions:

- a) Product samples are for consumption by the licensee and cannot be sold to patrons of the licensed premises.
- b) The maximum sample size for each brand of liquor is:
 - beer – 36 X 355 ml bottles, or the smallest keg used by the supplier/agency (approved container), or equivalent
 - refreshment beverages - 36 X 355 ml bottles, or equivalent
 - wine – 4 X 750 ml bottles, or equivalent
 - spirits – 2 X 750 ml bottles, or equivalent
 - liqueurs – 2 X 750 ml bottles, or equivalent
- c) Liquor products for sampling must be purchased from AGLC to qualify for the wholesale price. Product samples may also be purchased from a Class D licensee at a price that is equivalent to the licensee's cost. (See Section 3.16 of the Liquor Agency Handbook for information on procurement of samples.) *(Amended Apr 2016)*
- d) The liquor agency must keep a written record of sampling activities for two years, including the date, name and location of the licensed premises where the products for sampling were provided, the type, size and quantity of the products and the cost. These records must be provided to AGLC on request.
- e) A licensee may be provided with samples of a specific product only twice per calendar year. *(Amended Apr 2016)*

7.6.2 A liquor agency or licensee may host a no-sale function for liquor sampling, with the following conditions:

- a) Attendance must be by invitation only.
- b) No public advertising is allowed.
- c) A no-sale function at an unlicensed location requires a Private Non-Sale Special Event licence (see Subsection 8.2).



SECTION: PRODUCT PROMOTION

NUMBER: 7.6

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SUBJECT: PRODUCT SAMPLING FOR LICENSEES

- d) A no-sale function at a licensee's office premises requires a hospitality licence from AGLC, unless the host is a liquor manufacturer.

DATE ISSUED: October 20, 2020

AUTHORITY:

Original signed by
Len Rhodes

SUBJECT: PRODUCT SAMPLING FOR PUBLIC**POLICIES** (Added Oct 2020)

7.7.1 A liquor agency may provide free liquor product samples publically to adults, under the following conditions:

- a) Liquor samples provided are purchased by the agency through AGLC. The price includes markup, container deposit, environmental fees and applicable GST.
- b) Samples are distributed by the agency, or its representatives to the individual in person or through a Class D Delivery Service Licensee. Samples cannot be mailed or provided by indirect methods.
- c) Product samples are clearly marked as “not for resale” and “for off-site consumption only”.
- d) Liquor product samples provided to any one individual cannot:
 - i) exceed one per consumer per day; and
 - ii) exceed the following size limits:
 - One (1) - 355ml bottles of beer or cider, or equivalent
 - One(1) - 355ml bottle of refreshment beverages, or equivalent
 - One (1) - 200 ml bottle of wine, or equivalent and
 - One (1) - 50ml bottle of spirits, or equivalent.
- e) Liquor agencies must keep a written record of sampling activities for two years, including the date, name and location where the products for sampling were provided, the type, size and quantity of the products and the cost. These records must be provided to AGLC on request.
- f) Agencies are prohibited from offering samples of products they do not represent.

SUBJECT: GENERAL PRODUCT PROMOTIONS**POLICIES**

- 7.8.1 A product promotion may involve a contest, competition or draw, and may be administered by a licensee on behalf of a liquor agency with the following conditions:
- a) all patrons who enter a contest, competition or draw must be eligible under the conditions set by the liquor agency. Minors are not eligible;
 - b) participation cannot be conditional on the purchase or consumption of liquor;
 - c) all promotional items provided to a licensee by a liquor agency must be used only for the specified contest, competition or draw;
 - d) the closing date of a contest, competition or draw must be posted in the licensed premises; and
 - e) all draws must take place in the licensed premises on the date and time advertised (except draws conducted by the liquor agency).
- 7.8.2 Both the liquor agency and the licensee providing promotional give-away items must ensure the items reach patrons as intended and must meet the following conditions:
- a) both the liquor agency and the licensee must maintain records of every promotional activity in a licensed premises involving a give-away item with an individual wholesale value of more than \$100. The records must include the name of the licensed premises, a description of the give-away item and its wholesale value. The records must be provided to AGLC on request;
 - b) a licensee conducting a promotion on behalf of a liquor agency must keep a written record of the name, address and telephone number of every person who receives a give-away item with a wholesale value of more than \$100. The records must be provided to AGLC on request; and
 - c) all records regarding promotions must be kept for a minimum of two years.

SUBJECT: GENERAL PRODUCT PROMOTIONS

7.8.3 A liquor agency may provide a licensee with clothing items with corporate or brand logos for staff to wear during a promotion (e.g., t-shirts, aprons, sweatshirts). The clothing items:

- a) must have a maximum \$50 wholesale cost per item);
- b) cannot become a mandatory “uniform”; and
- c) may be kept by the licensee when the promotion ends.

7.8.4 A licensee may reduce the price of one or more products as part of a promotion, as long as the price complies with the minimum prices specified in Section 5.2 of the Licensee Handbook.

7.8.5 *(Deleted Dec 2020)*

GUIDELINES

7.8.6 There is no limit to prize value.

7.8.7 The liquor agency is not required to be present during voucher product promotions.

7.8.8 *(Deleted Dec 2020)*

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS**POLICIES**

- 7.9.1 An "added-value promotion" promotes a specific brand of liquor by offering consumers who purchase the brand at a retail liquor outlet a second item at no charge.
- 7.9.2 Acceptable added-value items include:
- a) Liquor
 - i) A liquor agency may provide liquor added-value items to Class D licensees only. The liquor agency must maintain a record of all added-value liquor provided.
 - ii) The words "SAMPLE" or "NOT FOR RESALE" must be clearly and permanently marked on the container of the added-value item, either in non-removable ink on the label or on a non-removable tag affixed to the container, in a type size the same or larger than the largest type used on the product label. A licensee may not deface, remove or attempt to remove the label or tag.
 - iii) The quantity of liquor provided as an added-value item must normally be no more than a single serving (i.e., 50 ml of distilled spirits, 200 ml of wine, or 355 ml of beer), and its value may not exceed the 15% maximum value allowed under Subsection 7.9.4b), unless otherwise approved in writing by AGLC.
 - iv) Added-value liquor items are subject to regular provincial mark-ups.
 - b) Money-off coupons for:
 - i) a liquor product, redeemable only by the liquor agency or a third party (i.e., coupon clearing house); or
 - ii) a non-liquor product, redeemable by the liquor agency or by non-liquor retailer of the product.
 - c) Non-perishable food items (e.g., packaged snack food, food seasoning, powdered drink mix)
 - d) Objects of nominal value, either:

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

- i) liquor-related (e.g., corkscrew, bottle opener, wine glass, beer mug or shot glass); or
- ii) not liquor-related (e.g., key ring, golf ball decal, figurine, CD, etc.).

7.9.3 An added-value promotion may be conducted as an on-pack, in-pack or near-pack promotion:

a) On-Pack

A liquor on-pack item must be attached to the liquor product with a plastic ring, elastic band, shrink wrap or similar method by:

- i) the liquor agency, at its plant;
- ii) the liquor agency's employee;
- iii) Connect Logistics Services Inc., at the Liquor Distribution Centre in St. Albert (a fee is charged for this service); or
- iv) the staff of a retail liquor store by arrangement with the liquor agency.

b) In-Pack

An in-pack item must be placed within the packaging of the liquor product (e.g., a case of beer or wine box) by the liquor agency at its plant.

c) Near-Pack

- i) A near-pack item must be purchased, supplied and delivered to the retail liquor outlet by the liquor agency or the supplier of the item.
- ii) The item must be offered only with the purchase of the specified product. *(amended Apr 2016)*

7.9.4 A liquor agency may conduct an added-value promotion in a retail liquor outlet (i.e. a Class D licensed premises or Duty Free Store), with the following conditions:

- a) The promotion must be directed at consumers.
- b) The cost of an added-value item must not exceed 15 per cent of the wholesale price of the liquor product being promoted,

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

whether provided by the liquor agency or by a third party. A redemption rate may not be factored in when calculating cost.

- c) Only one added-value item may be offered with the purchase of each bottle or unit (e.g., case of beer) of the liquor being promoted.
- d) Added-value items cannot be changed based on the amount of liquor purchased. For example, if an added-value item associated with a particular liquor product is a bottle opener and a customer buys 3 bottles of the product, a customer is entitled to three bottle openers, not another value-added item of a higher value. *(amended Apr 2016)*
- e) Added-value items provided by an agency may not be:
 - i) removed from a liquor product by a licensee;
 - ii) offered for sale separately; or
 - iii) provided to a licensee or licensee staff for their personal use or benefit (see Subsection 7.9.10).
- f) A liquor agency may not purchase, order or obtain any item to be used in an added-value promotion from any business in which a participating Class D licensee has a direct or indirect interest.

7.9.5 A Class D licensee may conduct their own added-value promotion, independent of a liquor agency, with the following additional conditions:

- a) The items provided are of nominal value;
- b) The items are those included on the list of acceptable non-liquor products approved for sale in the retail outlet (see Subsection 4.3.4);
- c) The items may identify the licensee's premises; and.
- d) Money-off coupons for liquor purchases are acceptable.

7.9.6 Tobacco products are prohibited as an added-value item.

7.9.7 No aspect of a licensee's business may be used as an added-value item, either directly or indirectly, without the prior approval of AGLC (e.g., coupon for money off a purchase at a licensed premises)

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

operated by the licensee; coupon for money off a ski lift ticket at a ski hill operated by the licensee).

7.9.8 Added-value promotions which do not comply with all of the policies in this section require the prior approval of AGLC.

7.9.9 AGLC reserves the right to set limits on the quantity of liquor provided to a licensee for an added-value promotion.

7.9.10 Added-value items may not be taken by a licensee for their personal use or provided to staff.



SECTION: SPECIAL EVENT LICENCES

NUMBER: 8.1

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: GENERAL INFORMATION

(Deleted May 2018)

PLEASE SEE AGLC.CA FOR INFORMATION REGARDING SPECIAL EVENT LICENCES

DATE ISSUED: May 15, 2018

AUTHORITY: Original signed by
Gael MacLeod

SUBJECT: GENERAL INFORMATION**POLICIES**

9.1.1 *(Deleted Dec 2020)*

9.1.2 *(Deleted Dec 2020)*

9.1.3 *(Deleted Dec 2020)*

9.1.4 When an AGLC Inspector finds a licensee in contravention of the GLCA, the GLCR or Board policy, the Inspector may request the licensee to take appropriate steps to comply with the legislation or policy.

9.1.5 Any alleged violation observed by an AGLC Inspector or a report of potential problems received from police, fire, health, other government official or the general public will be investigated and may result in an Incident Report (see Subsection 10.1).

GUIDELINES

9.1.6 AGLC Inspectors visit licensed premises to:

- a) check for compliance with the GLCA, GLCR and Board policies;
- b) confirm no structural changes have been made to the premises affecting compliance with the licence;
- c) advise licensees who want to apply for a new class of licence, a licence endorsement or a licence extension;
- d) investigate complaints;
- e) conduct audits on licensee books and records;
- f) conduct training seminars; and
- g) respond to licensee concerns about the operation of the licensed premises.

9.1.7 Inspections provide licensees with an opportunity to discuss with AGLC Inspectors:

- a) proposed structural changes;
- b) sale of the licensed premises;
- c) change in shareholders or management; and/or
- d) any questions they might have about the GLA, the GLCR and Board policies.

DATE ISSUED: December 14, 2020

AUTHORITY:

Original signed by
Len Rhodes

SUBJECT: GENERAL INFORMATION

9.1.8 *(Deleted Dec 2020)*

9.1.9 AGLC Inspectors are available to meet with licensees to assist them in the interpretation of legislation and Board policies; however, Inspectors may report any violations they observe to the Board.

9.1.10 AGLC supports and encourages police “walk through” programs. Every police officer is considered an Inspector under the GLCA, and licensees and their staff are required to cooperate fully with police officers who enter the licensed premises.

SUBJECT: LIQUOR SEIZURE AND ANALYSIS

POLICIES

- 9.2.1 Unauthorized or illegal liquor is not permitted in a licensed premise.
- 9.2.2 Unauthorized or illegal liquor includes, but is not limited to, liquor that has been:
- a) obtained from an unauthorized source;
 - b) adulterated (diluted with water or mixed with another liquor product or substance not requested by a patron);
 - c) re-labelled by a licensee; or
 - d) provided to a licensee as an added-value item then offered for sale.
- 9.2.3 Any unauthorized or illegal liquor products found in a licensed premise will be seized immediately.
- 9.2.4 An Inspector will submit an Incident Report (see Subsection 10.1) which may result in disciplinary action up to and including suspension or cancellation of licence.

GUIDELINES

- 9.2.5 *(Deleted Dec 2020)*
- 9.2.6 The liquor may be analyzed to confirm it has not been adulterated.

SUBJECT: INCIDENT REPORTS

GUIDELINES

- 10.1.1 An AGLC Inspector who observes an alleged violation may prepare an Incident Report detailing the circumstances. *(Amended Dec 2020)*
- 10.1.2 The President & Chief Executive Officer or delegate may propose a penalty or refer the Incident Report to the Board for review and decision where circumstances warrant.
- 10.1.3 On reviewing an Incident Report, the Board may decide to impose a penalty with or without a hearing.



SECTION: LICENSEE DISCIPLINE

NUMBER: 10.2

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: NOTICE OF ADMINISTRATIVE SANCTION

(Deleted Nov 2019)

PLEASE SEE THE BOARD HEARING PANEL RULES AND PROCEDURES DOCUMENT AT aglc.ca FOR INFORMATION ON NOTICE OF ADMINISTRATIVE SANCTION.

DATE ISSUED: November 28, 2019

AUTHORITY:

Original signed by
Len Rhodes



SECTION: LICENSEE DISCIPLINE

NUMBER: 10.3

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: BOARD HEARINGS

(Deleted Nov 2019)

PLEASE SEE THE BOARD HEARING PANEL RULES AND PROCEDURES DOCUMENT AT aglc.ca FOR INFORMATION ON BOARD HEARINGS.

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AUTHORITY:

Original signed by
Len Rhodes